

### **REMARKS**

In response to the Office Action mailed on May 7, 2008, Applicant respectfully requests reconsideration based on the above claim amendments and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 28-31, and 33-35 have been amended, leaving Claims 28-48 for consideration upon entry of the present amendment. No new matter has been added by the amendment.

#### **Support for Claim Amendments**

The amendment to independent Claims 28 and 31 are fully supported in Applicant's specification. See, for example, paragraph [0048] in the specification as originally filed.

#### **Claim Rejections - 35 U.S.C. §112**

Claims 28 and 31 stand rejected under 35 U. S.C. §112 second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 28 and 31 have been amended to address the concerns raised by the Examiner. In particular the element "flow through provisioning system to pass data" has been removed from Claims 28 and 31. Applicant submits that Claims 28 and 31 are in condition for allowance.

#### **Claim Rejections - 35 U.S.C. § 103**

Claims 28-31 and 33-48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Arbel et al. (U.S. Patent No. 5,276,731 hereinafter "Arbel") in view of Pershan et al. (U.S. Patent No. 6,718,026 hereinafter "Pershan") and Rogers et al. (U.S. Patent No. 5,946,386 hereinafter "Rogers") and further in view of Blumhardt (U.S. Patent No. 5,479,495 hereinafter "Blumhardt"). Applicant respectfully traverses the rejection

and submits that Arbel in view of Pershan in view of Rogers in further view of Blumhardt does not teach or suggest all of the elements of Claims 28-31 and 33-48.

Claim 28, as amended, recites *inter alia* “a subscription list comprising a plurality of subscriber telephone numbers including the subscriber telephone number, the subscriber list utilized to determine that the received call is to a subscriber having an entry in the programmable telephone number table.” Applicant submits that neither Arbel nor Pershan nor Rogers nor Blumhardt, alone or in combination, teaches or suggests this feature.

Arbel is directed to a method and apparatus for handling incoming telephone calls. Arbel teaches a system for delivering predetermined messages to incoming telephone calls, for prioritized screening of incoming telephone calls, and for re-routing incoming telephone calls. (Arbel; Abstract.) Arbel teaches that telephone calls are re-routed based on pre-determined criteria. (See, for example, Arbel; Col. 10, lines 10-28.) Arbel does not teach or suggest “a subscription list comprising a plurality of subscriber telephone numbers including the subscriber telephone number, the subscriber list utilized to determine that the received call is to a subscriber having an entry in the programmable telephone number table” as recited in Claim 28.

The addition of Pershan does not cure this deficiency in Arbel. Pershan is directed to call forwarding methods and apparatus. Pershan teaches that calls from selected telephone numbers are forwarded to other telephone numbers. Pershan also teaches that different rings may be utilized depending on the origin of the call. (Pershan; Abstract.) Pershan teaches call processing records (CPRs) that are indexed by called party telephone number and are utilized to determine if the called telephone number has activated call forwarding. A CPR is accessed in response to receiving a TAT trigger on the called party’s telephone line. The CPRs include the called party telephone number as well as forwarding telephone numbers, and the number of rings to allow before forwarding the call. (See, for example, Pershan; col. 12, lines 36-62.) Pershan does not teach or suggest “a subscription list comprising a plurality of subscriber telephone

numbers including the subscriber telephone number, the subscriber list utilized to determine that the received call is to a subscriber having an entry in the programmable telephone number table” as recited in Claim 28. Thus, Arbel in view of Pershan does not teach or suggest all of the elements of Claim 28.

The addition of Rogers does not cure this deficiency in Arbel in view of Pershan. Rogers is directed to a real-time call management system with call control from user workstation computers. (Rogers; Abstract.) Rogers teaches real-time call management that enables the called party to know who is calling before the call is accepted and, thus, to establish the likely priority of the call and decide how best to handle the call before the telephone rings. A call management computer intercepts incoming calls and controls the handling of such calls according to instructions received from the user’s workstations. Called parties, calling party and call type (voice, Fax, data) are identified and different types of calls are managed differently based on the instructions from the user. (Rogers; Abstract and col. 1, lines 48-61.) Rogers teaches that calls are routed to a central office and then to the call management system through a central office trunk. (Rogers; col. 9 line 63 through col. 10 line 2.) Rogers does not teach or suggest “a subscription list comprising a plurality of subscriber telephone numbers including the subscriber telephone number, the subscriber list utilized to determine that the received call is to a subscriber having an entry in the programmable telephone number table” as recited in Claim 28. Thus, Arbel in view of Pershan in view of Rogers does not teach or suggest all of the elements of Claim 28.

The addition of Blumhardt does not cure this deficiency in Arbel in view of Pershan in view of Rogers. Blumhardt is directed at using an Advanced Intelligent Network (AIN) for automatically accessing and invoking existing switch-based services without going off-hook. (Blumhardt; Abstract.) Blumhardt teaches providing a link between AIN and existing switch-based services. (Blumhardt; col. 1, lines 60-64.) Blumhardt does not teach or suggest “a subscription list comprising a plurality of subscriber telephone numbers including the subscriber telephone number, the subscriber

list utilized to determine that the received call is to a subscriber having an entry in the programmable telephone number table” as recited in Claim 28. Thus, Arbel in view of Pershan in view of Rogers in further view of Blumhardt does not teach or suggest all of the elements of Claim 28.

For at least the above reasons, Claim 28 is patentable over Arbel in view of Pershan in view of Rogers in further view of Blumhardt. 29-30, 36-38, and 45-46 depend from Claim 28 and are patentable over Arbel in view of Pershan in view of Rogers in further view of Blumhardt for at least the reasons advanced with reference to Claim 28.

Independent Claim 31, as amended, recites features similar to those discussed above with reference to Claim 28 and is patentable over Arbel in view of Pershan in view of Rogers in further view of Blumhardt for at least the reasons advanced with reference to Claim 28. Claims 33-35, 39-44, and 47-48 depend variously from Claim 31 and are considered patentable for at least the same reasons that Claim 31 is patentable.

Claim 32 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Arbel, Pershan, Rogers, Blumhardt and further in view O’Neil et al. (U.S. Patent No. 5,963,864 hereinafter “O’Neil”). Applicant respectfully traverses the rejection and submits that Arbel in view of Pershan, Rogers and Blumhardt in further view of O’Neill does not teach or suggest all of the elements of Claim 32.

The addition of O’Neil does not cure the deficiencies of Arbel in view of Pershan in view of Rogers in further view of Blumhardt as described above with respect to Claim 31 from which Claim 32 depends. For at least this reason, Claim 32 is patentable over Arbel, Pershan, Rogers, Blumhardt and further in view O’Neil.

Conclusion

Applicant is not conceding in this application that the original claims are not patentable over the art cited by the Examiner. Rather, the present claim amendments and cancellations are only for facilitating expeditious prosecution. Applicant respectfully reserves the right to pursue these and other claims in one or more continuations and/or divisional patent application applications.

It is believed that the foregoing remarks are fully responsive to the Office Action and that the claims herein should be allowable to the Applicant. In the event the Examiner has any queries regarding the instantly submitted response, the undersigned respectfully request the courtesy of a telephone conference to discuss any matters in need of attention.

If there are any additional charges with respect to this Response or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully Submitted,

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